

Application No. 10/539,028
Amdt. Dated: April 28, 2010
Reply to Office Action Dated: March 2, 2010

REMARKS/ARGUMENTS

Claims 1-20 have been rejected under 35 U.S.C. 112, second paragraph, 35 U.S.C. 102(e), or 35 U.S.C. 103(a). Claims 1-20 have been cancelled herein, rendering the rejections thereto moot.

Newly added claims 21-40 emphasize various aspects. No new matter has been added. The subject matter therein is neither taught nor suggested, individually or in combination, in the references of record.

For instance, Reining et al. discloses a conductance belt with conductors that entirely surrounds a perimeter of a human patient when the belt is installed on the subject to measure a conductance of the patient. The conductors are “sandwiched” between sleeves of the belt, and the two ends of a conductor are attached together so that each conductor forms a loop that surround the patient and to close the belt for measuring conductance. Alternating current is then supplied to the conductors to produce an oscillating magnetic field in the patient. (See column 4, lines 5-56).

Kasai is directed towards a system for determining the presence of a human, and not determining physiological states of a human. Brand et al. is directed towards in-home emergency assist devices.

Since the subject matter of the new claims is not taught or suggested in view of the references of record, entry and allowance thereof is respectfully requested.

Application No. 10/539,028
Amdt. Dated: April 28, 2010
Reply to Office Action Dated: March 2, 2010

Conclusion

In view of the foregoing, it is submitted that the claims distinguish patentably and non-obviously over the prior art of record. An early indication of allowability is earnestly solicited.

Respectfully submitted,



Anthony M. Del Zoppo, III Reg. No. 51,606
Driggs, Hogg, Daugherty & Del Zoppo Co., L.P.A.
38500 Chardon Road
Willoughby Hills, Ohio 44094
Phone: 1.440.391.5100
Fax: 1.440.391.5101

Direct all correspondence to:

Philips Intellectual Property & Standards
Customer Number: 24737